

REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested in view of the following reasons:

Amendment to the Claims

In response thereto, applicant has amended Claim 10.

Rejection of Claims 1, 8, 10, 12, and 13 Under 35 U.S.C. §103(a)

1. Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sakurai (U.S. patent 6,906,586) in view of Ingnas et al. (WO 00/70406).

The Examiner states that Ingnas teaches a micropatterning process, wherein a stamp having a raised pattern may be used for deposition (pg. 10, lines 32-pg.11, line 8). The patterned stamp can be dipped into the deposition material by dip coating (i.e., dipping stamp into an inkpad containing an ink) (Example 3 and 6). The deposition material is transferred from one of the protruding elements of the stamp onto the substrate (abstract).

This rejection is respectfully traversed on the basis that, the micropatterning process of Ingnas is different from that of this invention. Ingnas teaches a method for patterning a polymer film forming a coating on a material surface, a thin film of polymer is deposited on the surface and the patterning takes place by applying to the material

surface a stamp made of an elastomeric material in conformal contact with the surface of the **thin film**, such that **portions thereof contacting one or more protruding elements of the elastomeric stamp formed by one or more indentations thereof**, are attached to the protruding element or elements and removed from the material surface with the stamp (abstract). Furthermore, as shown in Fig.1 to Fig.3, Inganas teaches to heat the ink while the stamp still in contact with the ink, therefore the ink is solidified and adhered to the protruding elements of the stamp, then being peeled off to form indentations. In summary, the ink fixation process is **before** the pattern transferring process in the citation of Inganas.

On the contrary, the ink fixation process is **after** the pattern transferring process in this invention. It is noted that the patterned substrate in this invention is the same with the pattern on the stamp while Inganas's patterned substrate is complementary to the stamp. Therefore, the principle as described by Inganas is different from the present invention.

2. Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sakurai '586 in view of Inganas '406 as applied to claim 1 above, and further in view of Kim et al. (U.S. Publication 2002/0066978)

The Examiner states that Sakurai and Inganas are discussed above, but do not explicitly teach that the stamp can be a roller stamp. However, the Examiner takes Official Notice that it is well known to use a roller stamp in the art of microstamping (see, e.g. Kim, [0125] and Fig.12). The selection of something based on its known suitability for its intended

use has been held to support a prima facie case of obviousness.

Kim teaches a process for applying a species from indentations in an applicator to a non-planar surface (the Examiner named it as "roller"), wherein the species can be fluid precursors, chemically or biochemically active agents (Kim, [0125].) In the citation of Kim, something like "the roller having at least one protruding body" is fabricated but shows no teaching/suggestion/motivation to be used as a stamp. The applicant believes that The Examiner reconstructed this invention by using the inventor's own teachings as a roadmap to piece together prior art references in ways that would not have been obvious at the time of the invention. Furthermore, the Examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or that knowledge generally available to **one of ordinary skill in the art** would lead that individual to combine the relevant teachings of the references" In re Fritch, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992).

3. Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Sakurai '586 in view of Inganas '406 and Kim '978 as applied to claim 8, and further in view of Lee et al. (U.S. Publication 2002/0100566) and Aoki et al. (U.S. Publication 2002/0039496).

The Examiner states that Sakurai, Inganas and Kim are discussed above, but do not explicitly teach that a foam roller is partially contacted with the ink. Lee teaches that the addition of a transfer roll can provide a more uniform coating to the substrate ([0093], Fig. 6). Aoki teaches that a foam roller can be used to transfer ink to another roller

([0155], Fig. 31). The ink would necessary spread onto the foam roller by capillarity due to the porosity of foam type materials. The selection of something based on its known suitability for its intended use has been held to support a prima facie case of obviousness.

Lee discloses a papermaking process for making paper that involve the use of hydroxy-phenoxyether polymers to provide the paper with improved properties such as increased sizing and strength (Field of the Invention). However, this invention discloses a micro-stamping method for photoelectric process. It is believed that the accumulation of elements from cited sources in such diverse art is insufficient to present a prima facie case of obviousness.

Aoki discloses **copier, printer, facsimile apparatus** or similar image forming apparatus and more particularly to an image forming apparatus of the type including an image carrier made up of a conductive base and a photoconductive layer and a **toner carrier** to which a bias for development is applied, and transferring toner from the toner carrier to the image carrier at a developing position to thereby develop a latent image formed on the image carrier, and an image process unit for the same (Field of the Invention). Here are some quotations of Aoki's:

[0155] More specifically, the developing device 4 includes a casing 401 storing the **toner 10**. An agitator 411 is disposed in the casing 401 and rotated to agitate **the toner while mechanically conveying it to an elastic feed roller 412**. The feed roller 412 is formed of, e.g., foam polyurethane and includes cells having a diameter of 50 .mu.m to 500 .mu.m each. With such cells, **the feed roller 412**

easily retains the toner thereon. The feed roller 412 has a relatively low hardness of 10.degree. to 30.degree. (JIS-A scale) and can evenly contact the developing roller 402.

[0158] The developing roller 402 is made up of a conductive base and a surface layer implemented by rubber. The developing roller 402 has a diameter of 10 mm to 30 mm and has its surface suitably roughened to a roughness RZ of 1 .mu.m to 4 .mu.m . **This surface roughness is amount 13% to 80% of the grain size of the toner and allows the toner to be conveyed without being buried in the surface of the developing roller 402.**

[0159] The feed roller 412 conveys the toner of preselected polarity (negative polarity in the illustrative embodiment) to the position where the roller 412 faces the developing roller 402. As a result, **the toner is frictionally charged to negative polarity by friction and deposited on the developing roller 402 by an electrostatic force and the surface roughness of the roller 402.**

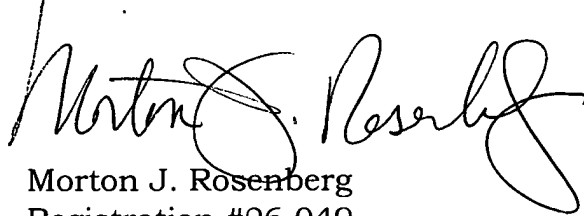
According to above description, Aoki teaches how to convey **solid toners** according to toners' grain size, friction, charge...and so on. There is nothing about ink would spread onto the foam roller by capillarity due to the porosity of foam type materials. Moreover, "Prior art must be within the field of the inventor's endeavor or reasonably pertinent to the particular problem with which the invention was involved." In re Dillon, 919 F. 2d 688 (1990) Therefore, Aoki provides no teaching or motivation or suggestion to combine those references, or that such combination would produce the present invention.

With the submission of this Response, the subject Patent Application has been placed in condition for allowance, and such action is respectively requested.

If there are any further charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

THIS AMENDMENT HAS BEEN PREPARED BY APPLICANT WITH NO SUBSTANTIVE CHANGES BY THE UNDERSIGNED ATTORNEY.

Respectively submitted,
For: ROSENBERG, KLEIN & LEE

A handwritten signature in black ink, appearing to read "Morton J. Rosenberg", is written over the printed name and registration number.

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